

Claims 2-6, 9-10 and 18-19 were rejected under 35 U.S.C. 103(a) as unpatentable over Wong et al. in view of Timmers et al. or Brandt et al. Applicants respectfully traverse this rejection.

Wong et al. teaches a method "for the grafting of ethylenically unsaturated monomers onto polyolefins and especially to the grating of ethylenically unsaturated carboxylic acids and anhydrides onto homopolymers of ethylene and copolymers of ethylene and higher alpha-olefins." Such grafted maleic anhydride copolymers are known to be useful as compatibilizers and as molding resins. It is also commonly known that without addition of maleic anhydride to the grafted chain, lower strength properties result.

Timmers et al. teaches that "olefins are polymerized by the use of catalysts comprising biscyclopentadienyl, Group 4 transition "metal complexes."

Brandt et al. teaches that "the individual catalyst system components, as well as the catalyst once formed, are protected from oxygen and moisture." Therefore, the reactions (polyolefins produced) are performed in an oxygen and moisture free atmosphere.

It is also noted that Timmers et al. and Brandt et al. appear to describe processes using oxygen free polymers which is not the case with the present invention.

It is respectfully submitted that the present invention is not obvious over the Wong reference, alone or in combination with the other cited references. The Examiner admits on page 5 of the Office Action that Wong et al. does not teach process steps carried out in a substantially inert atmospheric as claimed in the present invention. It is submitted that there is no deficiency or motivation in Wong which would motivate one skilled in the art to look to the subsidiary references to overcome such a deficiency. Thus, the combination

of references is improper and is merely an attempt to reconstruct the present invention with hindsight. It is Applicants' recognition that the claimed process steps can be carried out in an inert atmosphere which gives the final product the superior results heretofore unachieved. In addition, it is submitted that the cited art does not show or suggest the use of a single-site catalyzed polymer that produces terminal or chained reactive double bond sites as is presently claimed.

As shown in the patent specification, Examples 4 and 4A, it is submitted that it is not obvious and that Applicant's invention is unique by use of a single-site catalyzed polyolefin and reaching the polyolefin with other components in an inert atmosphere, with initiators (oxygen or other free radicals) to produce superior propertyed third end products, i.e., coating resins, and products resulting therefrom.

Applicants' claims are patentable over Wong et al. and the other cited references, as shown in the Specification, Example 4, Table Exact 4049, without Trigonox (under nitrogen reference) and Example with Trigonox (under air) produce inferior properties to the present invention (under nitrogen). This is similarly shown in the Examples 4A for polypropylene vs. polyethylene.

The process utilizing Applicants' composition polymer claims are substantially different from Wong's process using Wong's composition. Wong teaches grafting with maleic anhydride compositions whereas the present invention teaches formulas using methacrylate/triacrylate compositions for coating formulas. It is not only obvious, it is impossible to connect Wong because single-site catalyzed polyolefins were not commercially nor experimentally available in 1985.

It is therefore submitted that Applicants' invention as amended is not shown or suggested over the art of record.

Claim 7 was rejected under 35 U.S.C. §103(a) as unpatentable over Wong et al. in view of Timmers et al. or Brandt et al. and further in view of Ullman's Encyclopedia of Industrial Chemistry. Applicants respectfully traverse this rejection. Applicants incorporate there arguments concerning the three references above with respect to Claim 7 as well. Since amended Claim 7 now depends from Claim 6, Applicants believe that claim is now allowable and such favorable action is respectfully requested. It is submitted that the Ullman's reference fails to rectify the deficiencies in the other cited references and that Claim 7 is patentable over the cited art.

Claims 8 and 11 was rejected under 35 U.S.C. 103(a) as unpatentable over Wong et al. in view of Timmers et al. or Brandt et al. and further in view of Wright. Applicants respectfully traverse this rejection and incorporate their prior arguments herein on the patentability of the present invention. It is submitted that Wright fails to overcome the deficiencies of the other cited art and that Applicants' invention is patentable thereover.

Claims 12-13 and 15 were rejected under 35 U.S.C. 103(a) as unpatentable over Wong et al. in view of Timmers et al. or Brandt et al. and further in view of Sahatijan fails to overcome the deficiencies of the other cited art and that Applicants' invention is patentable thereover.

Applicants also enclose a supplementary Information Disclosure Statement, PTO Form 1449 and cited references. Applicants submit that these references do not show or suggest Applicants' invention, alone or in combination with any of the other cited art.

In view of the foregoing amendments and remarks, Applicants request reconsideration of the amended application and respectfully submit that the application is now in condition for allowance.

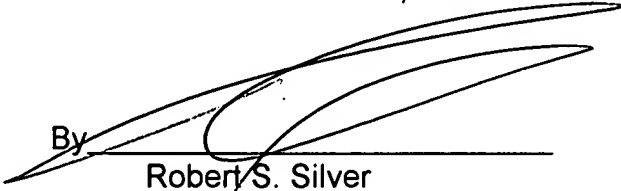
Applicants acknowledge the objections to the drawings and will submit formal drawings upon receipt of a notice of allowability in this case.

Respectfully submitted,

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By



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CERTIFICATE OF MAILING

I hereby certify that the foregoing AMENDMENT regarding Application Serial No. 09/026,475 is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, this 14th day of September, 1999.



Robert S. Silver